

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

FRANK WAKEFIELD,)	
)	
Plaintiff,)	
)	
v.)	02: 07cv0800
)	
OFFICER KEVIN WRIGHT and)	
CHIEF HOWARD KIFER, of the Glassport)	
Police Department; and)	
KATY HANDRA, Glassport Pool Manager;)	
as well as the BOROUGH OF GLASSPORT,)	
a municipal corporation; and)	
LIEUTENANT TIMOTHY CONBOY; AND)	
CHIEF KENNETH HOLLAND, of the)	
Dravosburg Police Department;)	
as well as the)	
BOROUGH OF DRAVOSBURG, a municipal)	
corporation;)	
In all Official and Personal Capacities,)	
)	
Defendants.)	

ORDER OF COURT

Presently pending before the Court are the following:

- MOTION TO DISMISS PLAINTIFF’S COMPLAINT filed by Defendants Borough of Dravosburg, Lieutenant Timothy Conboy and Chief Kenneth Holland, with brief in support (Document Nos. 3 and 4, respectively); and
- MOTION TO AMEND COMPLAINT filed by Plaintiff, Frank Wakefield (Document No. 5).

To date, Defendants have not filed a responsive pleading in this matter. Thus, pursuant to Rule 15(a) of the Federal Rules of Civil Procedure, Plaintiff’s Motion is **GRANTED** and the First Amended Complaint is deemed filed.

Furthermore, the Motion to Dismiss Plaintiff's Complaint is **DENIED AS MOOT**.

It is further **ORDERED** that the caption of this matter is amended as follows:

FRANK WAKEFIELD,)	
)	
Plaintiff,)	
)	
v.)	02: 07cv0800
)	
OFFICER KEVIN WRIGHT and)	
CHIEF HOWARD KIFER, of the Glassport)	
Police Department; and)	
KATY HANDRA, Glassport Pool Manager;)	
as well as the BOROUGH OF GLASSPORT,)	
a municipal corporation;)	
In all Official and Personal Capacities,)	
)	
Defendants.)	

So **ORDERED** this 4th day of December, 2007.

BY THE COURT:

s/Terrence F. McVerry
United States District Court Judge

cc: Frank Wakefield
2227 High Street
Glassport, PA 15045

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